

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**PACIRA PHARMACEUTICALS,
INC., and PACIRA BIOSCIENCES,
INC.,**

Plaintiffs,

v.

**eVenus PHARMACEUTICALS
LABORATORIES, INC., JIANGSU
HENGRUI PHARMACEUTICALS
CO., LTD., and FRESENIUS KABI
USA, LLC,**

Defendants.

Civil Action No. 21-19829

ORDER

THIS MATTER comes before the Court on a patent infringement action brought by Plaintiffs Pacira Pharmaceuticals, Inc., and Pacira Biosciences, Inc. (“Pacira” or “Plaintiffs”) against Defendants Jiangsu Hengrui Pharmaceuticals Co., Ltd., eVenus Pharmaceuticals Laboratories, Inc., and Fresenius Kabi USA, LLC (collectively “Defendants”).

The Court having held a bench trial on February 6, 7, 8, 9, and 14 2024, having entertained closing arguments on May 7, 2024, and having considered the parties’ post-trial briefing and weighed all credible testimony and other evidence in the record as well as all other relevant docket entries;

and for the reasons set forth in the accompanying Opinion;¹

IT IS on this 9th day of August, 2024;

ORDERED and ADJUDGED that Defendants have demonstrated by clear and convincing evidence that Claim 7 of the ‘495 Patent is invalid as obvious; and it is further

¹ Capitalized terms not defined herein shall have their meaning as set forth in the Opinion.

ORDERED and ADJUDGED that Defendants have demonstrated by clear and convincing evidence that Claim 7 of the '495 Patent is invalid as anticipated; and it is further

ORDERED and ADJUDGED that Plaintiffs' infringement claim is thus rendered moot; and it is further

ORDERED that no finding of enablement or inequitable conduct shall issue; and it is further

ORDERED that the parties are directed to submit a joint proposed form of judgment consistent with this Order and the accompanying Opinion within seven (7) days of this Order; and it is further

ORDERED that an unredacted version of this Court's Opinion shall be filed under temporary seal and emailed separately to the parties, and the parties shall submit a joint, proposed redacted version of the Court's Opinion within seven (7) days of this Order.

s/ Madeline Cox Arleo

Hon. Madeline Cox Arleo
UNITED STATES DISTRICT JUDGE